

Regular Meeting

November 28, 2005
1:30 p.m.

A regular meeting of the Municipal Civil Service Commission convened on Monday, November 28, 2005, at 1:52 p.m. with Priscilla Tyson, Grady Pettigrew, and Eileen Paley in attendance.

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RE: Review and approval of the minutes from the November 10, 2005, special meeting.

A motion to approve the minutes was made, seconded, and passed unanimously.

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RE: Review of the results of the pre-hearing conference for the following appeals:
a) Michael Riley vs. Columbus Public Schools, Appeal Nos. 05-BA-0002, 05-BA-0011, and 05-BA-0016. Head Custodian II – 5-day Suspension, 10-day Suspension, and Discharge – hearing scheduled for February 13, 2006.

This item was deferred.

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RE: Rule Revisions.

No rule revisions were submitted this month.

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RE: Request of the Civil Service Commission staff to extend the eligible list for Desktop Support Technician for one year (Class Code 0552).

PRESENT: Don White, Personnel Analyst Supervisor

Don White presented this request to extend the eligible list for Desktop Support Technician for one year. The current eligible list for Desktop Support Technician, a qualifying noncompetitive classification, was established on December 9, 2003, and is therefore scheduled to expire on December 8, 2005. Of the original nineteen candidates on the list, three have been appointed, leaving sixteen individuals on the current list.

Commission staff is currently working on a new test for this classification, but it will not be completed before the current eligible list expires. As a result, the Department of Technology has requested that the current eligible list be extended until such time as the new examination can be administered and a new list established to replace the current one.

A motion to approve the request was made, seconded, and passed unanimously.

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RE: Review of the Findings and Recommendation of the Trial Board hearing held on November 2, 2005:
Ronnetta Ridley vs. Columbus Public Schools,
Appeal No. 04-BA-0001

The Commissioners adopted the recommendation of the trial board to grant Thomas Drabick's motion to withdraw as Ms. Ridley's counsel since Ms. Ridley has cancelled numerous meetings with him and has not cooperated in the preparation of

her case. The Commissioners also agreed to dismiss Ms. Ridley's appeal based on failure to prosecute.

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RE: Columbus Public Schools Classification Actions.

No Columbus Public Schools classification actions were submitted this month.

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RE: Request of the Civil Service Commission staff to approve the specification review for the classification Police Artist with no revisions (Class Code 3018).

Request of the Civil Service Commission staff to approve the specification review for the classification Property Evidence Technician with no revisions (Class Code 3029).

Request of the Civil Service Commission staff to approve the specification review for the classification Relocation Program Manager with no revisions (Class Code 2036).

Request of the Civil Service Commission staff to approve the specification review for the classification Building Maintenance Manager with no revisions (Class Code 3497).

Request of the Civil Service Commission staff to approve the specification review for the classification Public Health Nurse with no revisions (Class Code 1639).

Request of the Civil Service Commission staff to approve the specification review for the classification Automotive Mechanic (Heavy) with no revisions (Class Code 3459).

Request of the Civil Service Commission staff to approve the specification review for the classification Applications Manager with no revisions (Class Code 0588).

Request of the Civil Service Commission staff to approve the specification review for the classification Network Manager with no revisions (Class Code 0264).

Request of the Civil Service Commission staff to approve the specification review for the classification Project Manager with no revisions (Class Code 0070).

Request of the Civil Service Commission to approve the specification review for the classification Occupational Safety Manager with no revisions (Class Code 0282).

Request of the Civil Service Commission to approve the specification review for the classification Safety Programs Coordinator with no revisions (Class Code 1721).

Request of the Civil Service Commission to approve the specification review for the classification City Health Commissioner (U) with no revisions (Class Code 0125).

PRESENT: Richard Cherry, Personnel Analyst II

Richard Cherry presented this request to approve the review of the specifications for twelve classifications with no revisions. The review of these specifications is part of the Commission's objective to review all classifications at least every five years.

After meetings and discussions with representatives from the various departments, it was agreed that each of these specifications accurately describes the work as it currently

exists. It was therefore recommended that the review of all twelve specifications be approved with no revisions.

A motion to approve the requests was made, seconded, and passed unanimously.

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RE: Request of the Civil Service Commission to approve the specification review for the classification Equal Business Opportunity Commission Executive Director (Secretary) (U) with no revisions (Class Code 0035).

Request of the Civil Service Commission staff to revise the specification for the classification Public Health Nursing Supervisor (Class Code 1645).

Request of the Civil Service Commission staff to revise the specification for the classification Public Health Nurse Assistant Supervisor (Class Code 1644).

Request of the Civil Service Commission staff to revise the specification for the classification Automotive Mechanic (Light) (Class Code 3458).

These items were deferred.

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Re: Request of the Civil Service Commission staff to revise the specification for the classification Automotive Tire Repairer (Class Code 3452).

PRESENT: Richard Cherry, Personnel Analyst II

Richard Cherry presented this request as part of the Civil Service Commission's effort to review all classifications every five years. Automotive Tire Repairer was last reviewed in April 2000. There are currently four employees serving in this classification, located in the Fleet Management Division.

As part of this review, Civil Service reviewed questionnaires completed by incumbents and division representatives were solicited to provide feedback about potential changes. Based on the feedback, it was recommended that no revisions to the definition are required. One revision to the examples of work section was proposed to add another example to better represent the work typically performed by an Automotive Tire Repairer. The current minimum qualifications for Automotive Tire Repairer are one year of experience repairing and changing tires on heavy motorized equipment and possession of a valid driver's license. Some of the duties performed by this classification require individuals to work on more than just heavy equipment and many candidates come from the automobile industry. Therefore, in order to avoid restricting candidates to only having experience on heavy equipment, it was recommended that the experience requirement be revised to include repairing and changing tires on automobiles and other motorized equipment. No other revisions to the specification were recommended.

A motion to approve the request was made, seconded, and passed unanimously.

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RE: Request of the Civil Service Commission staff to revise the specification for the classification of Business Systems Analyst (Class Code 0543).

PRESENT: Barbara Crawford, Personnel Analyst II

Barbara Crawford presented this request from the Civil Service Commission staff. This classification was created in 2004 for use within the Department of Technology. Currently, there are no incumbents in this classification as the pay and bargaining unit have not yet been assigned.

No revisions to the definition or examples of work sections of the specification were recommended. It was recommended that the minimum qualifications be revised to require four years of experience analyzing, evaluating, and implementing technology systems for business solutions. This revision is a result of the technical evolution of the department, the vision and plans of the City, and the availability of personnel, requiring that individuals in this classification be capable of performing a more advanced and complex level of work than was previously anticipated. Candidates for positions in this classification need to be well versed in the different aspects of business analysis as related to the technology available. Revisions proposed to the knowledge, skills, and abilities were to emphasize the thorough knowledge, skills, and abilities required of this position. No other revisions were recommended.

A motion to approve the request was made, seconded, and passed unanimously.

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RE: Request of the Civil Service Commission staff to revise the specification for the classification Real Estate Relocation Specialist, retitle it to read Relocation Specialist and amend Rule XI accordingly (Class Code 2034).

PRESENT: Tammy Rollins, Personnel Administrative Officer

Tammy Rollins presented this request as part of the Civil Service Commission's effort to review all classifications every five years. Real Estate Relocation Specialist was last reviewed in December 2001. There are currently five employees serving in this classification in the Development Department, Housing Division.

Based upon information received via questionnaire and supervisory review, language related to the ability to operate a computer and use applicable software programs was added to the knowledge, skills, abilities section of the specification. Additionally, it was proposed that the classification be retitled Relocation Specialist. Dropping Real Estate from the title is more in keeping with the definition, which refers to the relocation of displaced individuals, families and businesses. This would also be more consistent with the supervisory classification title, Relocation Program Manager. No other revisions were proposed to the specification.

A motion to approve the request was made, seconded, and passed unanimously.

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RE: Request of the Civil Service Commission staff to create the specification for the classification Chief Plans Official, assign a probationary period of 365 days, designate the examination type as noncompetitive and amend Rule XI accordingly (Class Code 1052).

PRESENT: Tammy Rollins, Personnel Administrative Officer

Tammy Rollins presented this request to create a specification for the classification Chief Plans Official. The proposed classification would manage the activities of the Engineering Plans Review Section of the One Stop Shop Service Center, Building Services Division, Department of Development. This section is being created to expedite the review and evaluation of engineering plans for public and/or private development projects. Positions from Development, Public Utilities and Public Service would be co-located to this section to facilitate the review of engineering plans pertaining to sanitary sewer, storm water, grading, erosion control, street lighting, roadways, access points, green space, and public health.

The proposed Chief Plans Official would be assigned to the Applied Sciences job family, Engineering and Drafting group. The EEO Job Category would be Official/Administrative. The proposed definition indicates this position would be responsible for managing the activities of the Engineering Plans Review Section and

coordinating the timely review and evaluation of engineering plans for public/private development projects to ensure compliance with City codes and standards. The examples of work section of the specification were designed to include duties signifying the leadership and engineering expertise required for an incumbent in this position. It was recommended that a guidelines for class use be added to indicate this is a single position classification to be used only by the Development Department. The proposed minimum qualifications require possession of a valid State of Ohio certificate as a registered Professional Engineer (P.E.) and five years of professional engineering experience, two years of which included the review and approval, or preparation, of engineering or site plans or plats. The proposed knowledge, skills, and abilities were developed to support the examples of work and minimum qualifications. It was recommended that the examination type be designated as noncompetitive, per Commission policy [Rule IV(B)(3)(d)] which states that single position classifications may also be designated as noncompetitive. It was further recommended that the probationary period be assigned 365 days, which is consistent with the associated learning time and in accordance with Commission guidelines for classifications designated as noncompetitive.

A motion to approve the request was made, seconded, and passed unanimously.

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RE: Request of the Civil Service Commission to revise the specification for the classification Public Utilities Director (U) (Class Code 0088).

PRESENT: Tammy Rollins, Personnel Administrative Officer

Tammy Rollins presented this request as part of the Civil Service Commission's effort to review all classifications every five years. Public Utilities Director (U) was last reviewed in August 2000. There is currently one employee serving in this classification which is located in the Public Utilities Department.

As part of the class review, Commission staff recommended that the specification be revised to reflect the current table of organization. A new division, Operational Support, was created within the Department last year that should be referenced on this specification. It was, therefore, requested that the definition and examples of work be revised to reflect the current organizational structure. It was further recommended that a guidelines for class use be added that clearly communicates this classification as being unclassified and that appointments are pursuant to City Charter Section 148(1)(c). No other changes to the specification were recommended.

A motion to approve the request was made, seconded, and passed unanimously.

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RE: Residency Hearing Reviews.

No residency hearing reviews were submitted this month.

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RE: Personnel Actions.

No personnel actions were submitted this month.

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RE: Administrative/Jurisdictional Reviews.

Appeal No. 05-CA-0015 - Review of the appeal of Robert Roush regarding the results of his position audit as a Management Analyst II with the Department of Public Utilities, Division of Sewerage and Drainage.

The Commissioners reviewed the appeal Mr. Roush filed on September 16, 2005, based upon his belief that Commission staff evaluated the knowledge, skills and abilities of the position, rather than the tasks he was performing in the position, during a recent audit of the Management Analyst II classification.

Commission Rule IV(A)(1) states in its pertinent part,

A classification plan shall be adopted and maintained by the Commission which shall provide for the classification and standardization of all positions within the classified service.

Rule IV(E)(4) states,

Every appointing authority is responsible for maintaining the integrity of the classification plan by assigning employees duties which are appropriate for their class in accordance with these rules and the applicable class specification. Duties of a higher class are appropriate and may be *assigned for training purposes or on a short-term basis* such as in the absence of another employee. (Emphasis added.)

When read together, these two sections mean that although a position description may be unique to a specific department, division, or section, the duties performed by a person assigned to the position must be consistent with the class specification.

Although departments are responsible for assigning employees appropriate duties, the Commission has the ultimate responsibility of ensuring that the integrity of the classification plan is maintained. Due to concerns about whether the Management Analyst II classification was being used consistently throughout the City, the Commission initiated a citywide job audit of the classification.

Based on the results of the audit, and pursuant to Commission Rule IV(E)(1), appointing authorities were notified of the alternatives available to resolve misclassifications and advised to correct any misclassifications by "either assignment of appropriate duties and responsibilities to the employee involved, or by a reallocation of the position."

In any cases where a position was reallocated to a different classification, and if the conditions of Rule X(G) were met, the employee could be reassigned to a newly reallocated position.

The citywide audit of the Management Analyst II classification was thorough and was conducted in accordance with Commission Rules. Accordingly, the Commission decided to dismiss Mr. Roush's appeal without a hearing.

Appeal No. 05-BA-0023 - Review of the appeal of Rennell Mahone regarding a four-day suspension from his position as Child Care Attendant with the Columbus Public Schools.

The Civil Service Commission reviewed Mr. Mahone's appeal filed on September 16, 2005, based upon his belief that he received a "wrongful suspension" from his position as a Child Care Attendant with the Columbus Public Schools.

The Commission received documents regarding Mr. Mahone's suspension from Columbus Public Schools, Office of Classified Personnel. These documents reflect that on June 7, 2005, a disciplinary conference was held, and that Mr. Mahone received a four day suspension as a result of the conference. The suspension was scheduled from August 29, 2005 through and including September 1, 2005.

Ohio Revised Code Section 124.34 provides that the Columbus Public Schools should have provided Mr. Mahone with a notice of the suspension order, and, that once he

received the notice, he had ten days to appeal the suspension to the Civil Service Commission. None of the records provided by the Columbus Public Schools demonstrate that he was provided with a notice of the suspension.

Nevertheless, Mr. Mahone served the suspension from August 29, 2005 through September 1, 2005. Even if he had no notice of the suspension prior to August 29, 2005, the fact that he served the suspension means that, at the very latest, his appeal should have been filed on or before September 8, 2005, which was the tenth day after the first day of his suspension. Mr. Mahone did not file his appeal until September 16, 2005, which was eight days after the deadline.

Mr. Mahone’s appeal was not timely pursuant to the Revised Code, or the Commission’s Rules. The Commissioners, therefore, dismissed Mr. Mahone’s appeal without a hearing.

APPLICANTS REMOVED POST-EXAM		
Name of Applicant	Position applied for	BAR #
Richard H. McCray, II	Police Officer	05-BR-105
James Peterson	Police Officer	05-BR-106

After reviewing the files of Richard H. McCray, II and James Peterson, the Commissioners decided their names would not be reinstated to the police officer eligible list.

Police Officer Applicants Removed During the Prescreening Process
Tracy Armstrong
Brian Brumfield
Sarah Collier
James Collins
Christopher Colyer
James S. Craig
Anthony Dave
Timothy M. Davis, Jr.
Nicholas Dembinski
Lewis Durant, V
Edward Edwards, IV
John B. Fisher
Kendrick Foreman
Ruth Gates
John Taylor Gussler
Marcus Hill
Edward Howell
Andrew Imhoff
Anthony Lammkin
Joseph Mills
Monarch Montgomery
Michael Moore
Ray Myers
Jamantha Primus
Monique Rivers
Jennifer Robinson
Marc Rowley
Joshua Schosser
Jason Sevako
Semaj Seward
Nathan Stone
Eric Swearinen
Brian Taylor

Suchawan Thongphay
 Darrell Trudo
 Thomas Vlahakis
 Mastera Yeboah
 Adam Yonley

The Commissioners reviewed the files of thirty-eight police officer applicants for an administrative review of the decision of the Executive Director to reject their applications due to a violation of the background standards for police officers during the pre-screening process.

After reviewing the files of Sarah Collier, James Collins, Christopher Colyer, James S. Craig, Anthony Dave, Timothy M. Davis, Jr., Nicholas Dembinski, Lewis Durant V, Kendrick Foreman, John Taylor Gussler, Edward Howell, Andrew Imhoff, Monarch Montgomery, Jamantha Primus, Monique Rivers, Jennifer Robinson, Marc Rowley, Semaj Seward, Eric Swearinen, and Brian Taylor, the Commissioners decided that their applications would not be accepted and they would not be permitted to take the police officer examination.

After reviewing the files of Tracy Armstrong, Brian Brumfield, Edward Edwards IV, John B. Fisher, Ruth Gates, Marcus Hill, Anthony Lammkin, Joseph Mills, Michael Moore, Ray Myers, Joshua Schosser, Jason Sevako, Nathan Stone, Suchawan Thongphay, Darrell Trudo, Thomas Vlahakis, Mastera Yeboah, and Adam Yonley, the Commissions decided their applications would be accepted and they would be permitted to take the police officer examination.

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The Commissioners adjourned their regular meeting at 1:52 p.m.

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Priscilla R. Tyson, Commission President

December 19, 2005
 Date